

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THE CHESTER COUNTY HOSPITAL	:	
	:	
v.	:	
	:	NO. 02-CV-2746
INDEPENDENCE BLUE CROSS,	:	
QCC INSURANCE COMPANY	:	
KEYSTONE HEALTHPLAN EAST, and	:	
KEYSTONE MERCY HEALTH PLAN	:	
	:	

EXHIBIT "6"

TO

**NON-PARTY AETNA INC.'S REPLY MEMORANDUM IN
SUPPORT OF ITS OBJECTIONS TO THE MAGISTRATE JUDGE'S
DECEMBER 22, 2003 ORDER**

LAW OFFICES

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Kenneth L. Racowski, Esquire
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August 25, 2003

James C. Crumlish, III, Esquire.
Elliott Reihner Siedzikowski & Egan, P.C.
Union Meeting Corporate Center V
925 Harvest Drive
PO Box 3010
Blue Bell PA 19422

Re: The Chester County Hospital v. Independence Blue Cross et al.
Civil Action No. 02-CV-2746

Dear Mr. Crumlish:

In accordance with Paragraph 17 of the Amended Protective Order entered in the above matter, I am writing to notify you that we intend to disclose to defendants' (collectively "IBC") Non-Testifying Experts, Anthony B. Creamer, Brian P. Sullivan, Jeremy McDowell, Margaret Shea and Jason E. Salus of Navigant Consulting and Dr. Lawrence Wu, David Monk, Dr. Scott Thomas, Dr. Thomas McCarthy, Susan Chou, Shireen Santosham, Erika Ibanez, Darshini Zeitler and Annie Lam of NERA Economic Consulting – the documents produced (*or to be produced*) by AETNA, INC., including documents designated as "Non-Party Highly Confidential." We also intend to disclose to IBC's Non-Testifying Experts documents produced by other parties or non-parties in the above litigation that may contain AETNA, INC.'s "Non-Party Highly Confidential information." Each of IBC's Non-Testifying Experts has executed Exhibit B of the Protective Order.

As provided by the Amended Protective Order, if you have any questions or concerns, please contact me within ten business days.

Very truly yours,

KENNETH L. RACOWSKI

KLR:kf

cc: Daniel A. Kotchen, Esquire (via facsimile (202) 237-6131)
Seth A. Goldberg, Esquire (via facsimile (215) 979-1020)

LAW OFFICES

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September 29, 2003

John Elliot, Jr.
 Elliott Reihner Siedzikowski & Egan, P.C.
 Union Meeting Corporate Center V
 925 Harvest Drive
 PO Box 3010
 Blue Bell PA 19422

Re: The Chester County Hospital v. Independence Blue Cross et al.
Civil Action No. 02-CV-2746

Dear Mr. Elliot:

As per the phone message I left you earlier today, I have enclosed copies of Exhibit Bs to the Amended Protective Order that have been executed by IBC's Non-Testifying Experts in the above referenced litigation. I am also writing to clarify elements of Mr. Racowski's August 25, 2003 letter and address points raised in response to that letter. With regard to same, we appreciate the prompt notification of Aetna's position to not currently object to the disclosure of Aetna's documents to the Non-Testifying Experts identified to Aetna by IBC.

IBC has retained NERA Economic Consulting ("NERA") and Navigant Consulting ("Navigant") on a Non-Testifying basis to provide expert advice on economic issues in the above litigation. The Non-Testifying Economic Experts at NERA associated with this matter are Lawrence Wu and David Monk. The Non-Testifying Economic Experts at Navigant associated with this matter are Anthony B. Creamer, Brian P. Sullivan, and Jeremy McDowell. It is possible, if not likely, that Messrs. Wu and Monk and Messrs. Creamer, Sullivan, and McDowell will be assisted from time to time in their work by other NERA and Navigant research assistants, employees or staff.

In the interests of full disclosure and in attempt to thoroughly comply with the provisions contained in Paragraph 17 of the Amended Protective Order, Mr. Racowski's previous letter listed all of the Non-Testifying Experts at both NERA and Navigant who might possibly view Aetna documents during the course of their potential role in providing expert advice to IBC's outside counsel.

SEP 30 2003

As stated above, I have enclosed executed copies of Exhibit B of the Amended Protective Order for each of the Non-Testifying Experts listed in Mr. Racowski's August 25, 2003 letter with the exception of Shireen Santosham and Dr. Thomas McCarthy. Ms. Santosham is currently on leave from NERA. Mr. Racowski's letter incorrectly noted that Dr. Thomas McCarthy had been retained as a Non-Testifying Expert. IBC has retained Dr. Thomas McCarthy as its testifying expert regarding economic issues. Dr. McCarthy is a principal of NERA. IBC has not disclosed and, at this time, does not intend to disclose any Aetna information to Dr. McCarthy.

Please do not hesitate to contact me with any questions.

Very Truly Yours,



WILLIAM K. PELOSI

KLR:kf

cc: Daniel A. Kotchen, Esquire (w/enclosures)
Seth A. Goldberg, Esquire (w/enclosures)

LAW OFFICES

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October 13, 2003

James C. Crumlish III Esquire
Elliott Reihner Siedzikowski & Egan P.C.
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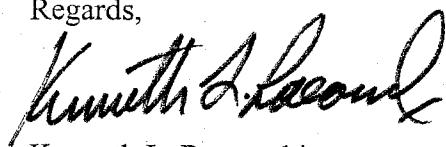
Re: The Chester County Hospital v. Independence Blue Cross et al.
Civil Action No. 02-CV-2746

Dear Mr. Crumlish:

In accordance with Paragraph 17 of the Amended Protective Order entered in the above matter, I am writing to notify you that we intend to disclose to IBC's Non-Testifying Expert, Melvin R. Hurley of Navigant Consulting, the documents produced (*or to be produced*) by AETNA, Inc. , including documents designated as Confidential, Highly Confidential or "Non-Party Highly Confidential" and documents produced (*or to be produced*) by other parties or non-parties in the above litigation that may contain AETNA, Inc. 's Confidential, Highly Confidential or "Non-Party Highly Confidential" information.

As provided by the Amended Protective Order, if you have any questions or concerns, please contact me within five business days.

Regards,



Kenneth L. Racowski

KLR:kf

cc: Seth A. Goldberg, Esquire
Daniel Kotchen, Esquire
James G. Kress, Esquire